

Supplemental FAQs for TRU ATCM
Noncompliance with Facility Recordkeeping and Reporting Requirements

Question (Note: This will become Question 24 in section III of the Frequently Asked Questions and Guidelines for Compliance with the TRU ATCM (FAQs and Guidelines): **Our facility did not conduct the summer recordkeeping for TRU engine operating time for inbound and outbound refrigerated loads that is allowed under the abbreviated alternative recordkeeping described in the compliance assistance document titled “Frequently Asked Questions and Guidelines for Compliance with the TRU ATCM” (refer to Section III, question 10). What do we do now?**

Answer:

Facilities that find themselves out of compliance with facility recordkeeping and reporting requirements should immediately notify the Air Resources Board’s (ARB) Stationary Source Division (SSD) (Rod Hill at 916-327-5636).

If the facility has missed the “summer” 48-hour window that is allowed by ARB and described in the compliance assistance document titled *FAQ and Guidelines*, the facility may have collected records suitable for meeting the required recordkeeping and reporting. For example, if the facility records TRU engine hour meter readings as a normal part of their pre-trip and post-trip inspections, these may be used to calculate TRU engine run time for outbound loads. In addition, if a facility uses time stamps for inbound loads in its normal load tracking operations, these times may be used to estimate TRU engine operating time. The details of this compliance plan follow:

- For outbound loads: If under normal operating procedures, TRU engine hour meter readings are recorded on pre-trip inspection forms just prior to an outbound load leaving the yard and on post-trip inspection forms when the same refrigerated trailer returns to the yard, this data will be used as follows: The TRU engine hour meter reading for each pre-trip inspection report will be subtracted from the TRU engine hour meter reading for the previous post-trip inspection report for that refrigerated trailer. The difference between these hour meter readings will capture the TRU engine operating time associated with the temperature pull-down prior to loading the trailer and the temperature maintenance period that takes place before each outbound load is dispatched and leaves the facility.
- For inbound loads: If, under normal operating procedures, each trailer is checked in through the facility gate and a time stamp is entered into the computerized load tracking system and another time stamp is entered when this same refrigerated trailer has backed up to the loading dock, and the TRU is then shut down while unloading occurs (and little, if any, TRU engine run time occurs before the trailer leaves the facility), then this data will be used as follows: The difference between these time stamps will be assumed to capture all of the TRU engine run time that occurs at the facility for each inbound load.

- Facility records evaluation period: Facility staff will evaluate the above-mentioned data for all outbound loads and all inbound loads for August 11, 2005 to August 12, 2005. A summer average will be calculated for both inbound and outbound loads.
- Calculation of annual average: The resulting “summer” average will then be combined with the “winter” 48-hour average to determine the *annual average TRU engine operating time per refrigerated load*. Annual averages will be calculated for both outbound and inbound refrigerated loads.
- The *annual average TRU engine operating time per refrigerated outbound load* will then be used to calculate the *average number of hours per week that outbound TRU engines operate at the facility*. See *FAQ and Guidelines, Section III, item 11*.
- The *annual average TRU engine operating time per refrigerated inbound load* will then be used to calculate the *average number of hours per week that inbound TRU engines operate at the facility*. See *FAQ and Guidelines, Section III, item 11*.
- Records for this compliance plan must be maintained and made available to ARB inspectors upon request.
- Facilities using this compliance approach must notify ARB of this fact. Contact Rod Hill at 916-327-5636

If this approach will not work for a facility because this information is not recorded, then the facility will need to confer with ARB staff and may come to agreement on a compliance plan.

The complete facility report is still due by January 31, 2006, in accordance with the TRU ATCM. If the facility report is submitted after this compliance date or is submitted incomplete, a Notice of Violation may be issued by ARB, followed by possible enforcement action.

Question (Note: This will become Question 25 in section III of the FAQs and Guidelines:

What happens if our facility misses the compliance date for submitting the facility report?

Answer:

The complete facility report is due on January 31, 2006. If the facility report is submitted after this compliance date or is submitted incomplete, a Notice of Violation will be issued by ARB, followed by possible enforcement action. Depending on the circumstances and facts of each case, penalties may be imposed (Health and Safety Code sections 39674, 42402, or 42400.3.5). Penalties are not excused for negligent recordkeeping and reporting.